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MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER MAPA, MICHAEL Y	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 11/27/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

### Office Action Summary

**Application No.**

10/597,623

**Applicant(s)**

BAR ET AL.

**Examiner**

Michael Mapa

**Art Unit**

2617

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/22)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/11/09 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 09/11/09 has been considered by the examiner.

### ***Response to Amendment***

3. The applicant has amended the following:

Claims: 20 and 22-30 have been amended.

Claims: 21 and 31-32 have not been amended.

Claims: 33-39 have been added.

Claims: 1-19 have been cancelled.

***Response to Arguments***

4. Applicant's arguments with respect to claims 20-39 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Objections***

5. Claims 20, 27-28 and 30 are objected to because of the following informalities: The applicant claims "ETSI" and "TETRA". However, the applicant has failed to include in the claims what the acronym for "ETSI" and "TETRA" mean. For the purpose of the examination and the rejection provided below, the examiner will interpret "ETSI" to mean "European Telecommunications Standard Institute" and "TETRA" to mean "Terrestrial Trunked Radio". Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 20-21 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saijonmaa (US Patent Publication 2004/0190468 herein after referenced as Saijonmaa) in view of Cannon (US Patent 5257416 herein after referenced as Cannon).

Regarding claim 20, Saijonmaa discloses:

The applicant claims "A method of radio communication comprising: at a mobile station: maintaining at least a first communication group set comprising a list of two or more user groups" (Paragraphs [0042] & [0004] of Saijonmaa, wherein Saijonmaa discloses a direct mode network wherein group communication functionality residing in the terminals and the user/terminal being a member of more than one communication group).

The applicant claims "each of the user groups communicating by an ETSI direct mode communication on an associated direct mode radio frequency channel for the group" (Paragraph [0042] of Saijonmaa, wherein Saijonmaa discloses the direct mode network using TETRA DMO, therefore communication by an ETSI direct mode communication. The examiner maintains that one of ordinary skill in the art would recognize that each group needs to communicate in its own associated radio frequency channel for the group for the purpose of preventing users/terminals not a member of the group from accessing information only directed to members of the group).

Saijonmaa fails to disclose "an ordered list of two or more user groups for the purpose of scanning for radio frequency activity among at least some of the groups" and "and conducting a surveillance procedure that includes periodically sampling each of the direct mode radio frequency channels to determine if there is any radio frequency activity comprising a direct mode communication amongst each group on the direct mode radio frequency channel."

In a related field of endeavor, Cannon discloses:

The applicant claims "an ordered list of two or more user groups for the purpose of scanning for radio frequency activity among at least some of the groups" and "and conducting a surveillance procedure that includes periodically sampling each of the direct mode radio frequency channels to determine if there is any radio frequency activity comprising a direct mode communication amongst each group on the direct mode radio frequency channel" (Column 1, Lines 45-55 of Cannon, wherein Canon discloses the receiver to have a condition/priority table and discloses monitoring and periodically scanning the channels for activity, therefore having an ordered list and conducting a surveillance procedure for any communication amongst each group on the frequency channel).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa to incorporate the teachings of Cannon for the purpose of improving the system versatility by having a priority based handling of the communication system and by having the capability of dynamically changing the priority hierarchy of the channels of a communication system without interrupting its everyday operation (Column 1, Lines 34-38 of Cannon).

Regarding claim 21, Saijonmaa in view of Cannon discloses:

The applicant claims "The method according to claim 20 wherein each of the direct mode radio frequency channels is sampled to detect a presence signal indicating presence of a particular group associated with the direct mode channel on the direct

mode channel" (Column 3, Lines 3-6 of Cannon, wherein Cannon discloses periodically scanning channels for activity).

Regarding claim 30, Saijonmaa discloses:

The applicant claims "A mobile station comprising: storage means storing at least a first direct mode group set comprising a list of two or more user groups together with their respective associated direct mode radio frequency channels" (Paragraphs [0042] & [0004] of Saijonmaa, wherein Saijonmaa discloses a direct mode network wherein group communication functionality residing in the terminals and the user/terminal being a member of more than one communication group. The examiner maintains that one of ordinary skill in the art would recognize that each group needs to communicate in its own associated radio frequency channel for the group for the purpose of preventing users/terminals not a member of the group from accessing information only directed to members of the group).

The applicant claims "direct mode" and "comprising an ETSI direct mode communication" (Paragraph [0042] of Saijonmaa, wherein Saijonmaa discloses a direct mode network and using TETRA DMO).

Saijonmaa fails to disclose "an ordered list of two or more user groups together with their respective associated radio frequency channels" and "for the purpose of scanning for alternative radio frequency activity among at least some of the groups; wherein the mobile station is operable, for those groups in the ordered list whose radio frequency channel state is free or unknown, to conduct a channel surveillance procedure wherein each of the radio frequency channels associated with the groups of

the ordered list is sampled periodically to determine if there is any radio frequency activity."

In a related field of endeavor, Cannon discloses:

The applicant claims "an ordered list of two or more user groups together with their respective associated radio frequency channels" and "for the purpose of scanning for alternative radio frequency activity among at least some of the groups; wherein the mobile station is operable, for those groups in the ordered list whose radio frequency channel state is free or unknown, to conduct a channel surveillance procedure wherein each of the direct mode radio frequency channels associated with the groups of the ordered list is sampled periodically to determine if there is any radio frequency activity" (Column 1, Lines 45-55 of Cannon, wherein Canon discloses the receiver to have a condition/priority table and discloses monitoring and periodically scanning the channels for activity and receiving the signal of the higher priority channel, therefore having an ordered list and conducting a surveillance procedure for any communication amongst each group on the frequency channel).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa to incorporate the teachings of Cannon for the purpose of improving the system versatility by having a priority based handling of the communication system and by having the capability of dynamically changing the priority hierarchy of the channels of a communication system without interrupting its everyday operation (Column 1, Lines 34-38 of Cannon).

Regarding claim 31, Saijonmaa in view of Cannon discloses:



The applicant claims "The method of direct mode radio communication according to claim 20 wherein the surveillance procedure is performed independent of whether the mobile station is in an idle state or whether the mobile station is participating as a listener in a direct mode communication" (Column 3, Lines 2-6 of Cannon, wherein Cannon discloses periodically scanning channels for activity and periodically interrupting the reception of signals and monitoring channel activity for higher priority signal).

Regarding claim 32, Saijonmaa in view of Cannon discloses:

The applicant claims "The method of direct mode radio communication according to claim 20 further comprising permitting the mobile station to join a call from any group for which direct mode communication was detected by the surveillance procedure as a listener or to initiate a call to members of the detected group" (Column 3, Lines 11-18 of Cannon & Paragraph [0044] of Saijonmaa).

8. Claims 22-29, 33 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saijonmaa (US Patent Publication 2004/0190468 herein after referenced as Saijonmaa) in view of Cannon (US Patent 5257416 herein after referenced as Cannon) and further in view of TETRA STANDARDS (ETS 300 396-3 herein after referenced as TETRA).

Regarding claim 22, Saijonmaa in view of Cannon discloses "The method according to claim 20." Saijonmaa in view of Cannon fails to disclose "wherein samples

of at least some consecutive group radio frequency channels whose state is free or unknown are conducted in a single frame. However, Saijonmaa in view of Cannon discloses using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

TETRA discloses:

The applicant claims "The method according to claim 20 wherein samples of at least some consecutive group radio frequency channels whose state is free or unknown are conducted in a single frame" (Fig. 1, TETRA STANDARDS 4.3.2 (Page 18) & 8.4.2.1 (Page 76), wherein TETRA discloses a frame with "OCC" denoting occupation of slot 3, and a channel free definition wherein no activity is detected other than possible receipt of presence signals indicating channel is free). The examiner maintains and takes official notice that it is commonly known in the art to use multiplexing for the purpose of sharing an expensive resource as is evident as a reference only in Shridhar et al. (US Patent 7406042 herein after referenced as Shridhar, wherein Shridhar discloses multiple channels within a single frame (Column 5, Lines 54-56 of Shridhar).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

Regarding claim 23, Saijonmaa in view of Cannon discloses "The method according to claim 20." Saijonmaa in view of Cannon fails to disclose "wherein if there is currently no group activity on any of the surveyed channels, then a first master mobile station initiating a call or service to start on any of the groups determines a physical and

logical time division pattern for all surveyed channels.” However, Saijonmaa in view of Cannon discloses having a master and a slave (Paragraph [0030] of Saijonmaa) & using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

TETRA discloses:

The applicant claims "The method according to claim 20 wherein if there is currently no group activity on any of the surveyed channels, then a first master mobile station initiating a call or service to start on any of the groups determines a physical and logical time division pattern for all surveyed channels" (TETRA STANDARD 4.3.2 (Page 18), wherein TETRA discloses the calling DM-MS may linearize its transmitter then establishes the channel synchronization and its role as master by transmitting synchronization bursts).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

Regarding claim 24, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method according to claim 23 wherein all other mobile stations other than the first master mobile station detecting the first call or service; synchronise to the time division pattern, adopting the same frame and slot numbering as a the first master mobile station" (TETRA STANDARDS 4.3.2 (Page 18) & 4.3.4 (Page 20), wherein TETRA discloses the process of synchronizing with the master

wherein the timing state of the channel, including the frame and slot numbers is determined).

Regarding claim 25, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method according to claim 24 wherein each master mobile station making a direct mode call transmits a presence signal in a specific time slot of the time division pattern to indicate the group to which the direct mode call group relates" (TETRA STANDARDS 4.3.4 (Pages 20-21), wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the successful pre-emptor now transmits synchronization bursts for what is in effect a new call with a new group and becomes master for the initial transaction of the new call).

Regarding claim 26, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method of direct mode radio communication according to claim 25 wherein the specific time slot in which a particular master mobile station transmits the associated presence signal is related to a position within the ordered list of the group that the particular master mobile station is communicating with" (TETRA STANDARDS 4.3.4 (Pages 20-21) & Column 1, Lines 44-55 of Cannon, wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the successful pre-emptor now transmits synchronization bursts for what is in effect a new call with a new group

and becomes master for the initial transaction of the new call and Cannon discloses having a priority table indicating the priority of the channel giving preference to the higher priority channel).

Regarding claim 27, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method of direct mode radio communication according to claim 26 wherein the specific time slot in which the particular master mobile station transmits is within a TETRA request bit map associated frame related to the position within the ordered list of the group that the particular master mobile station is communicating with" (TETRA STANDARDS 9.6.13 & Fig. 1 of 4.3.2 & Column 1, Lines 44-55 of Cannon, wherein TETRA discloses the request bitmap to be timeslot 3 of frames 1, 4, 7, 9, 10... and is therefore associated with the timeslots for communication and Cannon discloses having a priority table indicating the priority of the channel giving preference to the higher priority channel)

Regarding claim 28, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method of direct mode radio communication according to claim 26 wherein the particular master mobile station signals all call or service recipients that the TETRA request bit map associated time slots are not available for random access requests" (TETRA STANDARDS 8.4.7.9 (Page 92), wherein TETRA discloses the master MS dictate which frames may be used for random access

messages, therefore the frames not dictated are not available for random access requests).

Regarding claim 29, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method of direct mode radio communication according to claim 26 wherein any slave or idle mobile station surveys a specific time slot on a relevant channel to determine if there is any radio frequency activity, the specific time slot channel being related to the position within the ordered list of the group that the slave or idle mobile station is currently surveying" (TETRA STANDARDS 8.4.2.2.2, & Column 1, Lines 44-55 of Cannon, wherein TETRA discloses any DM-MS in idle mode shall periodically conduct further channel surveillance in order to detect any DSBs present on the DM radio frequency carrier and Cannon discloses having a priority table indicating the priority of the channel, periodically scanning for activity in the channels and giving preference to the higher priority channel).

Regarding claim 33, Saijonmaa in view of Cannon discloses:

The applicant claims "The method according to claim 21 wherein when the mobile station is active in a call or service, the mobile station samples one of the direct mode radio frequency channels to detect the presence signal" (Column 3, Lines 2-6 of Cannon).

Saijonmaa in view of Cannon fails to explicitly recite "during each currently unassigned time slot." However, Saijonmaa in view of Cannon discloses using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

TETRA discloses:

The applicant claims "during each currently unassigned time slot" (TETRA STANDARDS 8.5.7.2.2, wherein TETRA discloses the master monitoring the time slots looking for pre-emption, timing change or changeover requests).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

Regarding claim 36, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method according to claim 33 wherein the mobile station only listens to direct mode radio frequency channels of groups to which the mobile station is entitled to join" (Column 1, Lines 44-56 of Cannon, wherein Cannon discloses periodically scanning the channels already within its channel priority/order table, therefore only groups which the mobile station is entitled to join).

Regarding claim 37, Saijonmaa in view of Cannon discloses:

The applicant claims "The method according to claim 20 wherein each slave and idle mobile station listens to a different direct mode radio frequency channel for a presence signal indicating activity in a group associated with that direct mode radio frequency channel" (Column 1, Lines 44-55 of Cannon).

Saijonmaa in view of Cannon fails to explicitly recite "during a time slot assigned to that direct mode radio frequency channel" and "the time slots being different for each

direct mode radio frequency channel." However, Saijonmaa in view of Cannon discloses using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

In a related field of endeavor, TETRA discloses:

The applicant claims "a time slot assigned to that direct mode radio frequency channel" and "the time slots being different for each direct mode radio frequency channel" (TETRA STANDARDS 4.3.4 (Pages 20-21), wherein TETRA discloses another group wishing to access the DM channel for a priority reason such as an emergency, therefore different time slots for different channels).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

Regarding claim 38, Saijonmaa in view of Cannon discloses:

The applicant claims "The method according to claim 20 wherein a master mobile station, having initiated a call, listens to a different direct mode radio frequency channel for a presence signal indicating activity in a group associated with that direct mode radio frequency channel" (Column 3, Lines 1-6 of Cannon, wherein Cannon discloses receiving a signal and periodically interrupting the reception of the signal and monitoring the other channels for activity. One of ordinary skill in the art would recognize that initiation or reception of a call would constitute receiving a signal for the purpose of establishing communication).



Saijonmaa in view of Cannon fails to explicitly recite "during a time slot assigned to that direct mode radio frequency channel" and "the time slots being different for each direct mode radio frequency channel." However, Saijonmaa in view of Cannon discloses using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

In a related field of endeavor, TETRA discloses:

The applicant claims "a time slot assigned to that direct mode radio frequency channel" and "the time slots being different for each direct mode radio frequency channel" (TETRA STANDARDS 4.3.4 (Pages 20-21), wherein TETRA discloses another group wishing to access the DM channel for a priority reason such as an emergency, therefore different time slots for different channels).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

Regarding claim 39, Saijonmaa in view of Cannon discloses:

The applicant claims "The method according to claim 20 wherein a master mobile station, having initiated a call, listens to the same direct mode radio frequency channel for a presence signal indicating activity in a particular group" (Column 3, Lines 1-6 of Cannon, wherein Cannon discloses receiving a signal and periodically interrupting the reception of the signal and monitoring the other channels for higher priority activity. One of ordinary skill in the art would recognize that initiation or reception of a call would

constitute receiving a signal for the purpose of establishing communication. Therefore the receiver periodically listens to the higher priority channel for any activity).

Saijonmaa in view of Cannon fails to explicitly recite "during different time slots" and "each group associated with a unique time slot." However, Saijonmaa in view of Cannon discloses using the standard TETRA DMO (Paragraph [0042] of Saijonmaa).

In a related field of endeavor, TETRA discloses:

The applicant claims "during different time slots" and "each group associated with a unique time slot" (TETRA STANDARDS 4.3.4 (Pages 20-21), wherein TETRA discloses another group wishing to access the DM channel for a priority reason such as an emergency, therefore different time slots for different channels).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon to incorporate the teachings of TETRA STANDARDS for the purpose of improving system adaptability by conforming to known standards.

9. Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saijonmaa (US Patent Publication 2004/0190468 herein after referenced as Saijonmaa) in view of Cannon (US Patent 5257416 herein after referenced as Cannon) in view of TETRA STANDARDS (ETS 300 396-3 herein after referenced as TETRA) and further in view of Iwamura (US Patent Publication 2004/0184406 herein after referenced as Iwamura).

Regarding claim 34, Saijonmaa in view of Cannon and further in view of TETRA discloses:

The applicant claims "The method according to claim 33 wherein the time slot in which each presence signal is transmitted is dependent on a position within the ordered list of the groups" (TETRA STANDARDS 4.3.4 (Pages 20-21) & Column 1, Lines 44-55 of Cannon, wherein TETRA discloses a DM-MS transmitting a pre-emption request message at an appropriate position in the frame structure and if successful, the successful pre-emptor now transmits synchronization bursts for what is in effect a new call with a new group and becomes master for the initial transaction of the new call and Cannon discloses having a priority table indicating the priority of the channel giving preference to the higher priority channel).

Saijonmaa in view of Cannon and further in view of TETRA fails to disclose "a unique mapping existing between the time slot and the position within the ordered list of groups."

In a related field of endeavor, Iwamura discloses:

The applicant claims "a unique mapping existing between the time slot and the position within the ordered list of groups" (Paragraph [0020] of Iwamura, wherein Iwamura discloses a larger number of time slots to be granted to higher priority groups, therefore a unique mapping exist between the time slot and the position/priority within the group).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon and further in view of TETRA to

incorporate the teachings of Iwamura for the purpose of improving system performance by having an adaptive bandwidth management that gives preference to a higher priority connection.

Regarding claim 35, Saijonmaa in view of Cannon and further in view of TETRA discloses "The method according to claim 33."

Saijonmaa in view of Cannon and further in view of TETRA fails to disclose "when if the number of groups exceeds the number of currently unassigned time slots, the mobile station samples one of the direct mode radio frequency channels to detect the presence signal during a time slot normally reserved for slave or idle but occupied mobile stations."

In a related field of endeavor, Iwamura discloses:

The applicant claims "when if the number of groups exceeds the number of currently unassigned time slots, the mobile station samples one of the direct mode radio frequency channels to detect the presence signal during a time slot normally reserved for slave or idle but occupied mobile stations" (Paragraph [0128] of Iwamura, wherein Iwamura discloses the master reassigning time slots based on priority to accommodate the new transmission when not enough slots are available).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Saijonmaa in view of Cannon and further in view of TETRA to incorporate the teachings of Iwamura for the purpose of improving system performance by having an adaptive bandwidth management that gives preference to a higher priority connection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Mapa whose telephone number is (571)270-5540. The examiner can normally be reached on MONDAY TO THURSDAY 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Mapa/  
Examiner, Art Unit 2617

/Dwayne D. Bost/  
Supervisory Patent Examiner,  
Art Unit 2617